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~~XX~~ calling station.

REMARKS

This application has been reviewed in light of the Office Action dated November 12, 1999. Claims 1-24 remain pending in this application, and have been amended to define more clearly what Applicant regards as his invention, in terms that distinguish over the art of record. Claims 1, 6, 11, and 18 are in independent form. Favorable reconsideration is requested.

The Office Action rejected Claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,661,568 (Ueno) in view of U.S. Patent No. 5,517,324 (Fite Jr. et al.).

Applicant submits that Fite Jr. et al. is not prior art to the present application, because Fite Jr. et al. has an effective date as a reference of July 15, 1994. The present application claims priority of Japanese Application No. 6-31386 filed March 1, 1994. The sworn English-language translation of the priority application was filed on October 24, 1996, thus perfecting the claim for foreign priority filed on August 30, 1995.

As shown above, Applicant has amended independent Claims 1, 6, 11, and 18 in terms that more clearly define the

present invention. Applicant submits that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention defined in Claim 1 is directed to a communication apparatus capable of executing a plurality of kinds of communication protocols. The apparatus includes first and second data modems, and first and second protocol modems. The plurality of kinds of communication protocols include a first communication protocol, for setting an operation mode of the first data modem to communicate image data by using the first protocol modem to communicate protocol signals, and a second communication protocol, for setting the second data modem to communicate image data by using the second protocol modem to communicate protocol signals.

The apparatus also includes a first detector circuit adapted to detect a call signal, and a second detector circuit adapted to detect ID information. The ID information identifies a communication apparatus at a calling station, and is sent between call signals. A memory of the apparatus stores information of a communication system of the communication apparatus at the calling station in association with the ID information of the communication apparatus at the calling

station.

A reading circuit of the apparatus reads the information of the communication system of the communication apparatus at the calling station from the memory in accordance with the ID information of the communication apparatus at the calling station detected by the second detector circuit at a time of detection of the call signal. The reading circuit also conducts communication corresponding to the call signal detected by the first detector circuit, based on a communication protocol corresponding to the information as read.

One important feature of Claim 1 is that information of a communication system of a communication apparatus at a calling station is stored in a memory in association with ID information of the communication apparatus at the calling station. The ID information is transmitted between calling signals from the calling station. Another important feature of Claim 1 is that the information of the communication system is read out from the memory in accordance with the ID information detected when the call signal is detected. Yet another important feature of Claim 1 is that communication corresponding to the detected calling signal is conducted based on a protocol signal corresponding to the read-out information.

Ueno relates to a data communication apparatus that

stores a communication protocol associated with a telephone number of a destination, and that conducts communication using the communication protocol corresponding to the telephone number designated at the time of calling. Upon detection of a calling signal, the apparatus conducts the communication using the designated protocol.

Applicant submits, however, that Ueno fails to teach or suggest detection of ID information for identifying a communication apparatus of a calling station, as claimed in Claim 1. In addition, nothing in Ueno is believed to teach the use of "a reading circuit adapted to read the information of the communication system of the communication apparatus at the calling station from said memory in accordance with the ID information of the communication apparatus at the calling station detected by said second detector circuit at a time of detection of the call signal, and to conduct communication corresponding to the call signal detected by said first detector circuit, based on a communication protocol corresponding to the information as read," as recited in Claim 1.

Accordingly, Applicant submits that Claim 1 is patentable over the cited art, and respectfully requests reconsideration of the rejection under 35 U.S.C. § 103(a).

Independent Claim 6 is a method claim corresponding

to apparatus Claim 1, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 1. Additionally, independent Claims 11 and 18 include the same features relating to the ID information as discussed above in connection with Claim 1. Accordingly, Claims 11 and 18 are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything that, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as applied against the independent claims herein. Therefore, those claims are respectfully submitted to be patentable over the art of record.

The other rejected claims in this application depend from one or another of the independent claims discussed above and are, therefore, submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in

our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.



Respectfully submitted,

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